

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Sherie Robinson,

Plaintiff,

v.

Griggs & Associates, LLC
Dba G&A Services
c/o Carl Dudley
5071D Austell, Suite 527
Clarkdale, GA 30111,

Defendant.

Case No.

COMPLAINT

Jury Demand Requested

JURISDICTION AND VENUE

- 1- This court has jurisdiction pursuant to 28 U.S.C. §§1331, 1337, 1367; and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

PARTIES

- 3- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 4- Plaintiff is a resident of the State of Illinois.
- 5- Defendant is a corporation with its principal office in the State of Georgia.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 7- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

FACTS COMMON TO ALL COUNTS

- 9- On or around April 23, 2009, Plaintiff filed a voluntary bankruptcy petition (öPetitionö).
- 10- The Petition included the Debt.
- 11- On or around August 11, 2009, Plaintiff received a discharge of the Debt.
- 12- In or around March 2012, despite having knowledge of Plaintiff's bankruptcy, Defendant telephoned with Plaintiff to collect the Debt and left a voicemail.
- 13- At the time of this communication, Defendant knew or should have known about the Petition and discharge.
- 14- During this communication, Defendant falsely represented that there was ölegal matterö pending against Plaintiff that involved öelectronic fraudö and öcheck kitingö.
- 15- During this communication, Defendant falsely represented that a case would be filed against Plaintiff.
- 16- During this communication, Defendant falsely represented that an adversary decision had already been made against Plaintiff but that she had an opportunity to make a övoluntary statementö to officer.
- 17- In or around March 2012, Plaintiff communication with Defendant.
- 18- During this communication, Plaintiff notified Defendant that the Debt had been included in her bankruptcy and been discharged,
- 19- During this communication, Defendant falsely represented that the bankruptcy did not affect the Debt, and they were pursuing Plaintiff for check fraud.
- 20- In or around March 2012, Defendant telephoned Plaintiff to collect the Debt and left a voicemail.

- 21- At the time of this communication, Defendant knew or should have known about the Petition and discharge.
- 22- During this communication, Defendant falsely represented that there was a "legal matter" pending against Plaintiff that involved "electronic fraud."
- 23- During this communication, Defendant threatened that it would turn the matter over the Cook County for prosecution in 48 hours unless Plaintiff resolved the matter.
- 24- Defendant damaged Plaintiff by causing her undue stress and anxiety.
- 25- Defendant violated the FDCPA.

COUNT I

- 26- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 27- Defendant violated 15 USC § 1692c(a)(2) by communicating with a consumer after having notice that the consumer was represented by an attorney.

COUNT II

- 28- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 29- Defendant violated 15 USC § 1692e(2) by misrepresenting the character, amount, and/or legal status of the Debt.

COUNT III

- 30- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 31- Defendant violated 15 USC § 1692e(5) by threatening to take action against Plaintiff that Defendant cannot legally take.

COUNT IV

- 32- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

33- Defendant violated 15 USC § 1692e(5) by threatening to take action against Plaintiff that Defendant did not intend to take.

COUNT V

34- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

35- Defendant violated 15 USC § 1692e(10) by using false representations and/or deceptive means to collect, or attempt to collect, the Debt.

COUNT VI

36- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

37- Defendant violated 15 USC § 1692f by engaging in unfair and/or unconscionable means to collect, or attempt to collect, the Debt.

COUNT VII

38- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

39- Defendant violated 15 USC § 1692e by engaging in false, deceptive, or misleading methods to collect a debt.

JURY DEMAND

40- Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

41- Plaintiff prays for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);

- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorneys' fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3);
- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

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